Intel Corporation
4030 Lafayette Center Drive
Chantilly, VA 20151

FAX

Page 1 of 21

Urgent and Confidential

Date: June 12, 2006

TO:	**USPTO**	
	Examiner	D. Czekaj
	Art Unit	2616
	Fax Number	571-273-8300
FROM:	**Alan Pedersen-Giles**	
	Fax Number	703-633-3303
	Phone Number	703-633-1061
SUBJECT:	Application Number	09/671,957
	Inventor(s)	Inching Chen
	Date Filed	September 27, 2000
	Docket Number	42.P9234
	Title	METHOD AND APPARATUS FOR MANIPULATING MPEG VIDEO

INCLUDED IN THIS TRANSMISSION:

Fax Cover Sheet	1 page
Fee Transmittal	1 page
Transmittal	1 page
Petition for Extention of Time (2 month)	1 page
Appeal Brief	17 pages

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Cathy Dikes Cathy Dikes

PTO/SB/21 (09-04)
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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission: 21

Application Number	09/671,957
Filing Date	September 27, 2000
First Named Inventor	Inching CHEN
Art Unit	2616
Examiner Name	D. Czekaj
Attorney Docket Number	42.P9234

ENCLOSURES *(Check all that apply)*

- [x] Fee Transmittal Form
  - [ ] Fee Attached
- [ ] Amendment/Reply
  - [ ] After Final
  - [ ] Affidavits/declaration(s)
- [x] Extension of Time Request
- [ ] Express Abandonment Request
- [ ] Information Disclosure Statement
- [ ] Certified Copy of Priority Document(s)
- [ ] Reply to Missing Parts/ Incomplete Application
  - [ ] Reply to Missing Parts under 37 CFR 1.52 or 1.53
- [ ] Drawing(s)
- [ ] Licensing-related Papers
- [ ] Petition
- [ ] Petition to Convert to a Provisional Application
- [ ] Power of Attorney, Revocation Change of Correspondence Address
- [ ] Terminal Disclaimer
- [ ] Request for Refund
- [ ] CD, Number of CD(s) _____
  - [ ] Landscape Table on CD
- [ ] After Allowance Communication to TC
- [ ] Appeal Communication to Board of Appeals and Interferences
- [x] Appeal Communication to TC **(Appeal Notice, Brief, Reply Brief)**
- [ ] Proprietary Information
- [ ] Status Letter
- [x] Other Enclosure(s) (please identify below):
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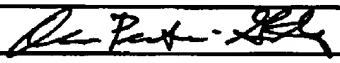
Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Intel Americas		
Signature			
Printed name	Alan Pedersen-Giles		
Date	June 12, 2006	Reg. No.	39,996

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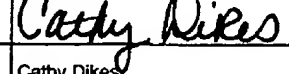
Signature			
Typed or printed name	Cathy Dikes	Date	June 12, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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PTO/SB/17 (12-04v2)
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Effective on 12/08/2004.
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL
For FY 2005

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT	($)	500.00

Complete if Known	
Application Number	09/671,957
Filing Date	September 27, 2000
First Named Inventor	Inching Chen
Examiner Name	D. Czekaj
Art Unit	2616
Attorney Docket No.	P9234

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☑ Deposit Account Deposit Account Number: 50-0221 Deposit Account Name: Intel Corporation

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☑ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, **except for the filing fee**

☑ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☑ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

	FILING FEES		SEARCH FEES		EXAMINATION FEES		
		Small Entity		Small Entity		Small Entity	
Application Type	Fee ($)	Fee ($)	Fee ($)	Fee ($)	Fee ($)	Fee ($)	Fees Paid ($)
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES

Fee Description	Fee ($)	Small Entity Fee ($)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims	Extra Claims	Fee ($)	Fee Paid ($)
_____ - 20 or HP =	_____	x 50.00 =	_____

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee ($)	Fee Paid ($)
_____ - 3 or HP =	_____	x 200.00 =	_____

HP = highest number of independent claims paid for, if greater than 3.

Multiple Dependent Claims	
Fee ($)	Fee Paid ($)
_____	_____

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is $250 ($125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee ($)	Fee Paid ($)
_____ - 100 =	_____	/ 50 = _____ (round up to a whole number)	x _____ =	_____

4. OTHER FEE(S)

	Fees Paid ($)
Non-English Specification, $130 fee (no small entity discount)	
Other (e.g., late filing surcharge): Appeal Brief Fee	500.00

(1402)

SUBMITTED BY

Signature		Registration No. (Attorney/Agent) 39,996	Telephone 703-633-1061
Name (Print/Type)	Alan Pedersen-Giles		Date June 12, 2006

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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PATENT
Attorney Docket No. 42.P9234

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Patent Application of	)	
	)	
Inching CHEN	)	Group Art Unit: 2616
	)	
Application No.: 09/671,957	)	Examiner: D. Czekaj
	)	
Filed: September 27, 2000	)	
	)	
For: METHOD AND APPARATUS FOR MANIPULATING MPEG VIDEO	)	

APPEAL BRIEF

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Appellant submits herewith an Appeal Brief as required by 37 C.F.R. § 41.37. This Appeal Brief is in response to the Final Office Action dated September 6, 2005, and the Advisory Action dated January 10, 2006.

The due date for filing this brief has been extended to June 12, 2006, by the accompanying petition and fee.

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I. REAL PARTY IN INTEREST

The real party in interest is Intel Corporation, a corporation of Delaware.

II. RELATED APPEALS AND INTERFERENCES

There are no other appeals or interferences known to Appellant which relate to, directly affect or are directly affected by the Board's decision in this appeal.

III. STATUS OF CLAIMS:

Claims 4-9, 13, and 33-38 remain pending.

Claims 4-6 and 33-35 stand finally rejected under 35 U.S.C. § 103(a) as unpatentable over Koyanagi et al. (U.S. Patent No. 5,557,332) in view of Wee et al. (U.S. Patent No. 6,553,150). Claims 7-9 and 36-38 stand finally rejected under 35 U.S.C. § 103(a) as unpatentable over Krishnamurthy et al. (U.S. Patent No. 6,496,607) in view of Dekel et al. (U.S. Patent No. 6,314,452). Claim 13 stands finally rejected under 35 U.S.C. § 103(a) as unpatentable over Wee et al. in view of Dekel et al.

The rejections of claims 4-9, 13, and 33-38 are appealed. These claims are reproduced in the attached Claims Appendix.

IV. STATUS OF AMENDMENTS:

A Response After Final was filed on November 7, 2005, but it contained no proposed amendments.

V. SUMMARY OF CLAIMED SUBJECT MATTER:

Regarding independent claims 4 and 33, a method or medium may include decoding a picture of an MPEG stream into a plurality of slices having a set of slices at least partially within an area of the picture, the area being less than all of the picture (Figs. 2B & 2C, elements 201, 203, 206; page 6, lines 7-15); decoding at least the set of slices but not the plurality of slices into a plurality of macroblocks having a set of macroblocks within the area (Figs. 2B & 2C, elements 204, 207; page 6, lines 7-20); and decoding at least the set of macroblocks but not the plurality of macroblocks into pixels (Figs. 2B & 2C, elements 212, 215; page 6, lines 10-22).

Regarding independent claims 7 and 36, a method or medium may include creating a first MPEG compliant substream from an MPEG stream including a plurality of pictures, the first substream corresponding to a first region of interest (ROI), said first ROI being an area of each picture of the plurality of pictures smaller than the total area of each picture (Fig. 8, elements 801 and 802; page 10, lines 11-23); transmitting the first substream to a first recipient (Fig. 8, elements 802 and 808; page 10, lines 11-23); creating a second MPEG compliant substream from the MPEG stream, the second substream corresponding to a second region of interest (ROI) that is different than the first ROI, said second ROI being an area of each picture of the plurality of pictures smaller than the total area of each picture (Fig. 8, elements 801 and 803; page 10, lines 11-23); and transmitting the second substream to a second recipient that is different than the first recipient (Fig. 8, elements 803 and 809; page 10, lines 11-23).

Regarding independent claim 13, a method may include decoding a picture from an MPEG stream (Fig. 8, element 801; page 10, lines 11-23); selecting a plurality of different Regions of Interest in the picture (Fig. 8, elements 814-820; page 10, lines 11-23); constructing a plurality of different new MPEG pictures corresponding to the plurality of different regions of interest (Fig. 8, elements 802-807; Fig. 9, element 902; page 10, lines 11-23); transmitting the plurality of different new MPEG pictures to a corresponding plurality of different nodes Fig. 8, elements 802-807; Fig. 9, element 903; page 10, lines 11-23); and commanding the plurality of different nodes to display the plurality of different new MPEG pictures (Fig. 8, elements 814-820; Fig. 9, element 904; page 10, lines 11-23).

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL:

A. Whether claims 4-6 and 33-35 are patentable under 35 U.S.C. § 103(a) over Koyanagi et al. in view of Wee et al.

B. Whether claims 7-9 and 36-38 are patentable under 35 U.S.C. § 103(a) over Krishnamurthy et al. in view of Dekel et al.

C. Whether claim 13 is patentable under 35 U.S.C. § 103(a) over Wee et al. in view of Dekel et al.

VII. ARGUMENT:

A. Claims 4-6 and 33-35 are patentable under 35 U.S.C. § 103(a) over Koyanagi et al. in view of Wee et al.

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. See M.P.E.P. § 2143.

1. No teaching or suggestion of at least "decoding at least the set of macroblocks but not the plurality of macroblocks into pixels."

Appellant respectfully traverses the § 103(a) rejection of claims 4-6 and 33-35 over Koyanagi et al. in view of Wee et al. Independent claims 4 and 33 require a method and medium including, *inter alia*, "decoding at least the set of slices but not the plurality of slices into a plurality of macroblocks having a set of macroblocks within the area; and decoding at least the set of macroblocks but not the plurality of macroblocks into pixels." The combination of Koyanagi et al. and Wee et al., even if it were proper, fails to teach or suggest all elements of the claimed method and medium.

Page 3 of the Final Office Action alleges that col. 24, lines 39-53, of Wee et al. teach or suggest "only decoding a set of slices."

a. Insufficient evidence to establish a *prima facie* case:

Page 3 of the Final Office Action does not allege or show that Wee et al. teaches or suggests "decoding at least the set of macroblocks but not the plurality of macroblocks into pixels," as set forth in claims 4 and 33. Hence, a *prima facie* case of obviousness has not been established for these claims, because no evidence from either Koyanagi et al. or Wee et al. has been provided in the stated § 103(a) rejection in Final Office Action to show a teaching or suggestion of this second decoding limitation.

b. Limitation not taught or suggested:

Nor does the cited portion of Wee et al. teach or suggest this second decoding limitation. The relevant part, col. 24, lines 43-47, of Wee et al. states only:

> Using this mapping, for example, if one desired to extract a ball only from a compressed representation of FIG. 15, one would need to identify and decode both regions "A" and "C," which would include ball data.

While this portion of Wee et al. arguably teaches decoding certain slices but not others (in view of Fig. 15, which segments an image by slices), it does not teach or suggest decoding certain macroblocks but not others within decoded slices, as set forth in claims 4 and 33. This portion of Wee et al., taken at face value, teaches or suggests decoding all macroblocks within a slice. It does not teach or suggest different decoding treatment of macroblocks within slices.

As a further example of this slice-only disclosure of Wee et al., see col. 24, line 57, through col. 25, line 3, which refer to Figs. 17-19 that indicate type of data by slice, and not by macroblock within the slices. Thus, the cited portion of Wee et al., and the rest of Wee et al., fails to teach or suggest at least "decoding at least the set of macroblocks but not the plurality of macroblocks into pixels" as required by claims 4 and 33.

Because the combination of Koyanagi et al. and Wee et al. fails to teach or suggest all elements of independent claims 4 and 33, a *prima facie* case of obviousness has not been established for these claims.

i. Final Office Action response:

Page 2 of the Final Office Action alleges that "Wee discloses decoding only the bottom rightmost macroblocks indicating that the set but not the plurality of macroblocks have been decoded into pixels," and cites col. 26, lines 25-34 in support of this contention.

ii. Appellant's reply:

This is not what col. 26, lines 25-34 discloses at all. Col. 26, lines 25-34, of Wee et al. states only:

> For example, in a sequence header, a global region group could be defined and textually explained to be a bottom-rightmost rectangle of sixty-four pixels wide and thirty-two pixels high (e.g., four macro-blocks wide by two macro-blocks high), such as a corner area designated by the reference numeral 371 in FIG. 24. Each frame's region map would in that event contain a table expressly listing slices containing only the last four macro-blocks of the last two lines (of macro-blocks) as belonging to this region group.

This cited portion of Wee et al., which refers to Fig. 24, discloses only defining a reserved portion in an *encoded signal* for later insertion of a logo. See col. 26, lines 21-25, which states (emphasis added):

> In this regard, if it is desired **to produce an encoded, compressed video signal** for distribution and subsequent, localized logo insertion, a small rectangular region is preferably defined at a constant location for all image frames in a sequence.

Col. 26, lines 25-34, of Wee et al. teaches or suggests only inserting a logo during an *encoding* process. It teaches or suggests nothing about decoding, much less the "decoding at least the set of macroblocks but not the plurality of macroblocks into pixels" as required by claims 4 and 33.

iii. Advisory Action response:

The Advisory Action alleges that "a region group is defined and decoded," and cites in support of this allegation col. 26, lines 1-34, of Wee et al. in its entirety.

iv. Appellant's reply:

Not so. Col. 26, lines 1-9, disclose that an editor would need to (a) determine the identity of a global region group, (b) extract a table corresponding to the region group, and (quoted from lines 7-11, emphasis added):

> (c) **decode each image slice identified by the table**. Logo insertion is **then performed,** with the modified image data being subjected to new motion estimation and compensation and **encoded and inserted** into the original bit stream, in place of the data which has now been modified.

Thus, this portion of Wee et al. clearly discloses that whole image slices are decoded (i.e., "decode each image slice identified by the table"), and not just a set of macroblocks within slices as claimed. It also discloses that any later processing concerns encoding, and not decoding as claimed.

Hence, Wee et al. fails to teach or suggest "decoding at least the set of macroblocks but not the plurality of macroblocks into pixels" as required by claims 4 and 33, and a *prima facie* case of obviousness has not been established.

2. No motivation or suggestion to combine Koyanagi et al. and Wee et al.

A *prima facie* case of obviousness also has not been established for claims 4 and 33, because no motivation or suggestion has been shown to combine Koyanagi et al. and Wee et al.. Page 3, lines 6-8, of the Final Office Action points to a problem disclosed, and solved, by Wee et al. (i.e., "that prior art computing systems must entirely decompressed/decoded [sic] a video signal even if only a small part of the signal is being edited") as allegedly motivating the combination with Koyanagi et al. This, however, is circular logic. Pointing to an advantage or solution to a problem in one reference (i.e., Wee et al.) does *not* provide motivation to solve this problem in the other reference (i.e., Koyanagi et al.) unless that other reference has the same problem or deficiency or need as the first. In the Office Action, there has been no showing that Koyanagi et al. has the problem of having to decode an entire image even if only a small part of the image is being edited (Wee et al., col. 2, lines 7-9).

In fact, Koyanagi et al. is primarily concerned with decoding entire images using parallel processing (see Abstract). Koyanagi et al. is not concerned with editing only part of an image, the genesis of the problem in Wee et al. Because Koyanagi et al. does not have the same need or deficiency that Wee et al. cures, one of ordinary skill in the art would not have been motivated to add the teachings from Wee et al. A *prima facie* case of obviousness also has not been established for claims 4 and 33 for at least this additional reason.

a. Final Office Action or Advisory Action response:

For completeness, Appellant notes that the Examiner did not respond to this motivation/suggestion traversal in either the Final Office Action or the Advisory Action.

Because a *prima facie* case of obviousness has not been established for claims 4 and 33, the § 103(a) rejections of these claims are improper and should be reversed.

Dependent claims 5, 6, 34, and 35 are allowable at least by virtue of their dependency from claims 4 and 33.

B. Claims 7-9 and 36-38 are patentable under 35 U.S.C. § 103(a) over Krishnamurthy et al. in view of Dekel et al.

1. No teaching or suggestion of at least "creating a second MPEG compliant substream from the MPEG stream, the second substream corresponding to a second region of interest (ROI) that is different than the first ROI; and transmitting the second substream to a second recipient that is different than the first recipient."

Appellant respectfully traverses the § 103(a) rejection of claims 7-9 and 36-38 over Krishnamurthy et al. in view of Dekel et al. Independent claims 7 and 36 require a method and medium including, *inter alia*, "transmitting the first substream to a first recipient; creating a second MPEG compliant substream from the MPEG stream, the second substream corresponding to a second region of interest (ROI) that is different than the first ROI; and transmitting the second substream to a second recipient that is different than the first recipient." The proposed combination of Krishnamurthy et al. and Dekel et al., even if it were proper, fails to teach or suggest all elements of the claimed method and medium.

Page 4 of the Final Office Action admits that Krishnamurthy et al. fails to teach or suggest transmitting a second substream to a second recipient that is different than a first recipient of a first substream. Page 4, lines 9-13, of the Final Office Action also alleges that Dekel et al. "discloses creating a second MPEG substream that is different than the first ROI."

The Examiner has apparently forgotten about the Amendment filed September 20, 2004, (see pages 14 and 15 thereof) that extensively explained that Dekel et al. does not teach or suggest an MPEG stream -- only a single image. The explanation therein is repeated as follows.

Dekel et al. discloses only compressing a region of interest (ROI) of a single image. See col. 4, lines 21-23, ("the user then selects . . . *an image* residing on the image file storage device"); col. 4, lines 35 and 36, ("for *a 75M RGB (color) image*"); and col. 4, lines 51 and 52, ("which identifies a progressive transmission of any ROI *of the image* essentially in real-time") (emphasis added in each). Dekel et al. does not teach or suggest that the single image is part of a series of pictures or that it is part of an MPEG stream. Hence, Dekel et al. fails to teach or suggest "creating a second MPEG compliant substream from the MPEG stream, the second substream corresponding to a second region of interest (ROI) that is different than the first ROI"

or "transmitting the second substream to a second recipient that is different than the first recipient," as required by claims 7 and 36.

a. Advisory Action response:

The Advisory Action alleges that "since multiple clients can request different material, a plurality of different streams are created," and cites in support of this allegation col. 19, lines 20-24, of Dekel et al.

b. Appellant's reply:

Col. 19, lines 20-24, of Dekel et al. describes step 704 in Fig. 7 of the reference. Fig. 7, however, describes a process for a single client, and not "multiple clients" as alleged by the Examiner in the Advisory Action. From col. 2, lines 37 and 38, of Dekel et al. (emphasis added):

> FIG. 7 is a workflow diagram describing the "progressive by accuracy" process for **a client**.

See also col. 15, lines 16 and 17, of Dekel et al. (emphasis added):

> With reference to FIG. 7, the workflow at **the client computer** 10 is now described.

Thus, the cited portion of Dekel et al. does not support the proposition for which the Examiner cited it, because it only describes a process for a single client. Even if it supported the "multiple client" allegation, however, the Examiner has not answered the traversal above.

Namely, neither reference, nor any reasonable combination, teaches or suggests "transmitting the second [MPEG compliant] substream to a second recipient that is different than the first recipient" as claimed. Krishnamurthy et al. fails to teach or suggest transmitting different substreams to different clients, and Dekel et al. fails to teach or suggest creating or transmitting an MPEG compliant substream at all. No reasonable combination of these two references can meet the requirements of claims 7 and 36.

Thus, a *prima facie* case of obviousness has not been established for claims 7 and 36, because the combination of Krishnamurthy et al. and Dekel et al. fails to teach or suggest all elements of the claims. The § 103(a) rejection of claims 7 and 36 should be reversed for at least this reason.

2. No motivation or suggestion to combine Krishnamurthy et al. and Dekel et al.

A *prima facie* case of obviousness also has not been established for claims 7 and 36, because no motivation or suggestion has been shown to combine Krishnamurthy et al. and Dekel et al. as proposed. Page 4 of the Final Office Action contains only the bare legal conclusion that "it would have been obvious . . . in order to obtain an apparatus that becomes more versatile by being able to transmit data to a plurality of different users." This is an unsupported conclusion, nothing more.

No evidence from either reference or other technical reasoning has been provided to support this conclusion. Without any supporting evidence or facts, a *prima facie* case of obviousness cannot be established. See M.P.E.P. § 2142 ("The examiner bears the initial burden of factually supporting any *prima facie* conclusion of obviousness."). A *prima facie* case of obviousness also has not been established for claims 7 and 36 for at least this additional reason.

a. Final Office Action or Advisory Action response:

For completeness, Appellant notes that the Examiner did not respond to this motivation/suggestion traversal in either the Final Office Action or the Advisory Action.

Because a *prima facie* case of obviousness has not been established for claims 7 and 36 over Krishnamurthy et al. and Dekel et al., the § 103(a) rejections of claims 7 and 36 are improper and should be reversed.

Claims 8, 9, 37, and 38 are allowable at least by virtue of their dependency from claims 7 and 36.

C. Claim 13 is patentable under 35 U.S.C. § 103(a) over Wee et al. in view of Dekel et al.

1. No teaching or suggestion of at least "transmitting the plurality of different new MPEG pictures to a corresponding plurality of different nodes."

Appellant respectfully traverses the § 103(a) rejection of claim 13 over Wee et al. in view of Dekel et al. Independent claim13 requires a method including, *inter alia*, "constructing a plurality of different new MPEG pictures corresponding to the plurality of different regions of interest; and transmitting the plurality of different new MPEG pictures to a corresponding

plurality of different nodes." Wee et al. fails to teach or suggest all elements of the claimed method.

Page 4 of the Final Office Action admits that Wee et al. fails to teach or suggest transmitting and displaying pictures to multiple nodes. Page 5 of the Final Office Action also alleges that Dekel et al. "discloses 'transmitting the plurality of new pictures to a plurality of nodes.'"

The Examiner mis-quotes claim 13, which actually recites "transmitting the plurality of different new MPEG pictures to a corresponding plurality of different nodes." As explained above with regard to claims 7 and 36, and in pages 14 and 15 of the Amendment filed September 20, 2004, Dekel et al. discloses only a single image, and not a "plurality of different new MPEG pictures" as required by claim 13.

a. Advisory Action response:

To the extent that col. 19, lines 20-24, of Dekel et al., cited by the Examiner in the Advisory Action, is intended to apply to claim 13 as well, the explanation in section VII(B)(1)(b) above with regard to claims 7 and 36 also applies here. This portion of Dekel et al. is inapposite.

Hence, a *prima facie* case of obviousness cannot be established for claim 13, because the combination of Wee et al. and Dekel et al. fails to teach or suggest all elements of the claim. The § 103(a) rejection of claim 13 should be reversed.

2. No motivation or suggestion to combine Wee et al. and Dekel et al.

A *prima facie* case of obviousness also has not been established for claim 13, because no motivation or suggestion has been shown to combine Wee et al. and Dekel et al. as proposed. Pages 5 and 6 of the Final Office Action contains only the bare legal conclusion that "it would have been obvious . . . in order to obtain an apparatus that becomes more versatile by being able to transmit data to a plurality of different users." This is also an unsupported conclusion.

No evidence from either reference or other technical reasoning has been provided to support this conclusion. Without any supporting evidence or facts, a *prima facie* case of obviousness cannot be established. See M.P.E.P. § 2142 ("The examiner bears the initial burden of factually supporting any *prima facie* conclusion of obviousness."). A *prima facie* case of obviousness also has not been established for claim 13 for at least this additional reason.

a. Final Office Action or Advisory Action response:

For completeness, Appellant notes that the Examiner did not respond to this motivation/suggestion traversal in either the Final Office Action or the Advisory Action.

Because a *prima facie* case of obviousness has not been established for claim 13 over Wee et al. and Dekel et al., the § 103(a) rejection of claim 13 is improper and should be reversed.

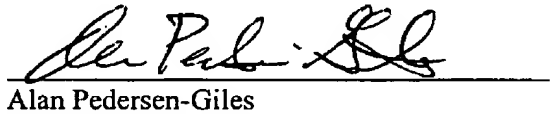
CONCLUSION

For the reasons set forth above, Appellant respectfully solicits the Honorable Board to reverse the Examiner's rejection of claims 4-9, 13, and 33-38.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 50-0221 and please credit any excess fees to such deposit account.

Respectfully submitted,

Dated: June 12, 2006



Alan Pedersen-Giles
Registration No. 39,996

c/o Intel Americas
LF3
4030 Lafayette Center Drive
Chantilly, VA 20151
(703) 633-1061

VIII. CLAIMS APPENDIX

4. (original) A computer implemented method comprising:

decoding a picture of an MPEG stream into a plurality of slices having a set of slices at least partially within an area of the picture, the area being less than all of the picture;

decoding at least the set of slices but not the plurality of slices into a plurality of macroblocks having a set of macroblocks within the area; and

decoding at least the set of macroblocks but not the plurality of macroblocks into pixels.

5. (original) The method of claim 4 wherein the area is a region of interest.

6. (original) The method of claim 4 further comprising displaying the decoded set of macroblocks.

7. (previously presented) A computer implemented method comprising:

creating a first MPEG compliant substream from an MPEG stream including a plurality of pictures, the first substream corresponding to a first region of interest (ROI), said first ROI being an area of each picture of the plurality of pictures smaller than the total area of each picture;

transmitting the first substream to a first recipient;

creating a second MPEG compliant substream from the MPEG stream, the second substream corresponding to a second region of interest (ROI) that is different than the first ROI, said second ROI being an area of each picture of the plurality of pictures smaller than the total area of each picture; and

transmitting the second substream to a second recipient that is different than the first recipient.

8. (previously presented) The method of claim 7 further comprising synchronizing display of the first substream with the second MPEG compliant substream from the MPEG stream.

9. (previously presented) The method of claim 7 wherein the creation and transmission of the first and second substreams are performed in a lock-step manner.

13. (previously presented) A computer implemented method comprising:

decoding a picture from an MPEG stream;

selecting a plurality of different Regions of Interest in the picture;

constructing a plurality of different new MPEG pictures corresponding to the plurality of different regions of interest;

transmitting the plurality of different new MPEG pictures to a corresponding plurality of different nodes; and

commanding the plurality of different nodes to display the plurality of different new MPEG pictures.

33. (original) A machine-readable medium that provides instructions, which when executed by a set of processors, cause said set of processors to perform operations comprising:

decoding a picture of an MPEG stream into a plurality of slices having a set of slices at least partially within an area of the picture, the area being less than all of the picture;

decoding at least the set of slices but not the plurality of slices into a plurality of macroblocks having a set of macroblocks within the area; and

decoding at least the set of macroblocks but not the plurality of macroblocks into pixels.

34. (original) The machine readable medium of claim 33 wherein the area is a region of interest.

35. (original) The machine readable medium of claim 33 further comprising displaying the set of decoded macroblocks.

36. (previously presented) A machine-readable medium that provides instructions, which when executed by a set of processors, cause said set of processors to perform operations comprising:

creating a first MPEG compliant substream from an MPEG stream including a plurality of pictures, the first substream corresponding to a first region of interest (ROI), said first ROI being an area of each picture of the plurality of pictures smaller than the total area of each picture;

transmitting the first substream to a first recipient;

creating a second MPEG compliant substream from the MPEG stream, the second substream corresponding to a second region of interest (ROI) that is different than the first ROI, said second ROI being an area of each picture of the plurality of pictures smaller than the total area of each picture; and

transmitting the second substream to a second recipient that is different than the first recipient.

37. (previously presented) The machine readable medium of claim 36 that provides instructions, which when executed by a set of processors, cause said set of processors to perform operations further comprising synchronizing display of the first substream with the second MPEG compliant substream from the MPEG stream.

38. (previously presented) The machine readable medium of claim 36 further comprising a lock-step mechanism governing the creation and transmission of the first and second substreams.

IX. EVIDENCE APPENDIX

None.

X. RELATED PROCEEDINGS APPENDIX

None.